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Honorable Daniel K. Inouye, Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Thank you for your letter (R#9691) regarding the draft "Guidelines for Human Subject Research Within the Intelligence Community", which Dr. Ryan of the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research brought to your attention.

As a consequence of the new Executive Order on U.S. Intelligence Activities, which is expected to contain an instruction that all aspects of research on human subjects must conform to guidelines established by the Department of Health, Education, and Welfare (HEW), Intelligence Community guidelines on the subject are currently being revised, and each Department and Agency of the Community has been advised to reinforce the HEW guidelines with its own regulations. In order to obtain independent viewpoints on the new guidelines, the National Foreign Intelligence Board requested comments on them in draft not only from the National Commission but from the Office of Protection from Research Risks of HEW, as well as from the individual Community agencies. Suggestions received from these other groups for strengthening the protection of human subjects have required revision of the draft guidelines which were sent to the Commission, which are consequently now outdated. The new draft is expected shortly, and I will forward it to the Committee once it has been addressed by the NFIB.

The provision for a second review recommended by the National Commission has been anticipated by existing CIA guidelines, which require that all human subject research be conducted under an approved assurance from HEW, thus providing an independent review of compliance with HEW guidelines. This requirement includes a review by HEW of the qualifications of individuals selected to serve on institutional review boards. But I should prefer to reserve final comment on this general subject of a second review, and on some other points in Dr. Ryan's letter to Mr. Elder, until they have been reviewed by NFIB, the results of which I will report to you directly.

Yours sincerely,

SIGNED